

Kevin F. McCoy
Assistant Federal Defender
FEDERAL PUBLIC DEFENDER
FOR THE DISTRICT OF ALASKA
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Attorney for Defendant

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CELINA R. TOMPSAN,

Defendant.

STATE OF ALASKA

THIRD JUDICIAL DISTRICT

NO. 3:05-CR-0061-RRB

AFFIDAVIT OF COUNSEL

ss:

Kevin F. McCoy, being first duly sworn upon oath, deposes and says as follows:

1. I am the attorney presently assigned to represent Celina Tompsan.
2. The court sentenced Ms. Tompsan to 24 months following her guilty pleas to one count of wire fraud and one count of false social security. *See* Docket No. 33.
3. Ms. Tompsan is extremely dissatisfied with the representation she received in this matter.

4. Her dissatisfaction is evidenced by the 28 U.S.C. § 2255 petition for post-conviction relief that she has filed. *See* Exhibit A (copy of Ms. Tompsan's 28 U.S.C. § 2255 petition).

5. I have prepared and filed with this motion a request to enlarge the time for the filing of a notice of appeal to April 22, 2006. If that request is granted, I will ensure that a notice of appeal is filed on her behalf.

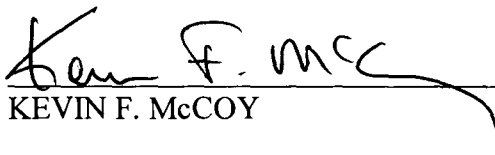
6. The purpose of this motion is to ask on shortened time for leave to withdraw and for an order permitting substitute counsel to be appointed to represent Ms. Tompsan on appeal and in connection with her 28 U.S.C. § 2255 post-conviction relief application.

7. Based on the § 2255 petition, Ms. Tompsan will allege that her Sixth Amendment right to effective assistance of counsel was violated at various stages of these proceedings.

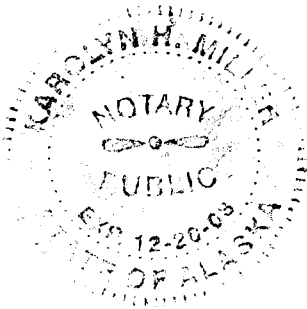
8. Under these circumstances it is appropriate to appoint substitute counsel so that these claims can be independently evaluated and prosecuted by new counsel.

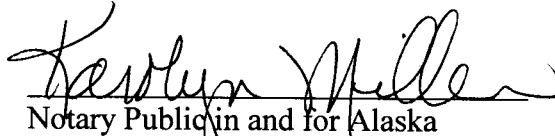
9. Accordingly, Ms. Tompsan asks that the Federal Defender be permitted to withdraw as counsel of record and that substitute counsel be appointed from the CJA Panel list forthwith.

FURTHER YOUR AFFIANT SAYETH NAUGHT.


KEVIN F. McCOY

SUBSCRIBED AND SWORN to before me this 5th day of April 2006.




Notary Public in and for Alaska
My Commission Expires: 12/20/2008